

REMARKS

Claims 1-9 are pending in the application. Claims 3-6 have been withdrawn from consideration and Claims 1, 2, and 7-9 have been rejected. Applicants request reconsideration of the rejections in view of the following remarks.

Applicants have canceled claims 2, and 7-9 and have amended Claim 1 to be directed solely to a method for the treatment of renal colic and pain associated therewith using *N*-(2-Bromophenyl)-*N'*-[(R)-1-(5-trifluoromethyl-2-pyridyl)pyrrolidin-3-yl]urea or a pharmaceutically acceptable salt thereof. Basis for this amendment can be found in canceled Claim 8, in the specification on page 3, lines 16-18, and on page 4, lines 10-11.

Response to Rejections under 35 USC §102

Claims 1, 2, 7, and 9 have been rejected under 35 USC §102(e) as being separately anticipated by Bakthavatchalam et al. (WO/2002/008221) and by Suh et al. (WO/2002/016317). The Examiner contends that Bakthavatchalam et al. discloses the use of compounds that bind with capsaicin receptors, including the human VR-1 receptor, and that Suh et al. teaches the use of compounds that are antagonists of VR-1 receptors. Applicants have addressed these rejections by canceling Claims 2, 7 and 9, and by amending Claim 1 to incorporate the limitations of canceled Claim 8.

Response to Double Patenting Rejection

The Examiner has provisionally rejected Claim 9 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 8, 9, 10, 11, and 12 of copending Application No. 10/540,100. Applicants' cancelation of Claim 9 renders this rejection moot.

Response to Rejections under 35 USC §112

Claims 1, 2, 7, 8, and 9 have been rejected under 35 USC §112, first paragraph, as not providing reasonable enablement for prophylaxis or prevention of renal colic. In response, Applicants have amended Claim 1 to remove reference to prophylaxis of pelvic pain.

For the above-stated reasons, Applicants respectfully request that a Notice of Allowance be granted for Claim 1.

Respectfully submitted,


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